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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/054,751 | 10/22/2001 | Michael Soemo | 2001P20319US | 5865 |

7590 06/21/2004
Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

RONES, CHARLES

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2175

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,751

Applicant(s)

SOEMO ET AL.

Examiner

Charles L. Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4-8-2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-32 is/are allowed.
- 6) ☒ Claim(s) 1-5, 12, 13, 17, 18 and 23 is/are rejected.
- 7) ☒ Claim(s) 6-11, 14-16 and 19-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Reconsideration

The request for reconsideration timely filed on April 8, 2004 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 12-13, 17-18, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuen et al. U.S. Patent No. 6,028,599 ('Yuen').

Yuen discloses:

As to claim 1,

a database partitioned into a first section and a second section, said first section comprising static data and being stored in a static memory device, said second section comprising dynamic data and being stored in a dynamic memory device; See 5:1-12; and

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a database manager for managing said database (memory management); See 5:1-12.

As to claim 2,

wherein said database manager comprises software and wherein said database manager is stored in said static memory device; See 5:1-12.

As to claim 3,

wherein said static memory device comprises a set of units, and further wherein said database manager copies a set of data elements stored in one of said units into said dynamic memory when one or more of said data elements is to be modified; See 5:1-12.

As to claim 4,

wherein said dynamic memory comprises a cache and wherein said set of data elements are copied from said static memory into said cache; See 5:1-12.

As to claim 5,

wherein a plurality of applications has access to said database and further wherein said cache is used to support modifications to the database made by said plurality of applications; See 5:1-12.

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As to claim 12,

a communication network; an application node coupled to said communication network, said application node having a static memory device and a dynamic memory device; See 5:1-12;

a database partitioned into a first section and a second section, said first section comprising static data and being stored in said static memory device, said second section comprising dynamic data and being stored in said dynamic memory device; See 5:1-12; and

a database manager disposed in said application node for managing said database; See 5:1-12.

As to claim 13,

wherein said database manager comprises software and wherein said database manager is stored in said static memory device wherein it is deemed that each memory has its own manager; See 5:1-12.

As to claim 17,

wherein said dynamic memory comprises a cache and wherein said database manager causes a set of data elements to be copied from said static memory into said cache when at least one of said set of data elements require modification; See 5:1-12.

As to claim 18,

wherein a plurality of applications may access said database and further wherein said cache supports modifications made to said database by said plurality of applications; See 5:1-12.

As to claim 23,

storing a set of static data elements in a static memory device; See 5:1-12;
and, storing a set of dynamic data elements in a dynamic memory device,
wherein said database comprises said static data elements and said dynamic data elements; See 5:1-12.

Allowable Subject Matter

Claims 6-11, 14-16, and 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 23-32 are allowed.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



Charles L. Rones
Primary Examiner
Art Unit 2175

June 15, 2003